

TOWN OF NEWSTEAD
ZONING BOARD OF APPEALS
MINUTES of February 18, 2003

Present: Ike Cummings
 Scott Chaffee
 Bill Kaufman
 Rebecca Baker, Zoning Officer
 Christine Falkowski, Recording Secretary

Ike called the meeting to order at 7:31 PM and led the Pledge of Allegiance to the American flag.

The public hearing was opened to hear comments for or against the use variance request for a 5' high fence in front yard (west side of house) vs. the maximum 3' height per Code, located at 11131 Hunts Corners Road owned by Michael Young. Mr. Young stated the purpose is to keep snow from drifting onto driveway so that family can have access, especially in the event of an emergency. He was not aware of the height requirement nor that a permit was necessary. He stated the last post of the fence is more than 35' from the center of the road. He could remove a few panels, but they are bolted railroad ties that have some rot, and would not endure much contact. The Young's do not plan to subdivide this 8+ acre parcel. Erie County Division of Planning had no comments. Scott motioned to approve variance with the condition that Mr. Young obtain signed agreement from immediate neighbors and submit to Building Dept., seconded by Bill and all approved.

The public hearing was opened to hear comments for or against the area variance request of 15' for placement of a new home on a corner lot (bringing the distance from the right of way to 50' vs. the required 65') located at 4389 South Newstead Road and Dorsch Road, owned by Paul & Cynthia Griffin. Because this is a corner lot, the 65' requirement is for two sides of the house instead of one. The Griffin's house plans call for the front to be facing S. Newstead with the driveway and garage facing Dorsch. The south side of their home would be 12' from the property line, and they would rather be 25', giving them a comfortable amount of space between dwellings if owners to the south decide to build at the minimum 10' from the line. The variance would bring the house in balance with the parcel instead of crowding to one side. Also, they have already planted a hedgerow on the south side and fruit trees on the west side in planning their home layout. Mr. Griffin pointed out that the Zoning Board approved a 15' variance last month (Meides). The Building Dept. will check the house setback on the east side of Dorsch and send addresses of immediate neighbors to Mrs. Griffin so that she can obtain their agreement or opposition to the 50' setback in writing. Bill made a motion to table this request until the Planning Board takes a look at it, seconded by Scott and all approved.

The Board reviewed the request to increase sign box area by adding 18" x 84" at the top, owned by Clarence Center Mennonite Church, Inc. at 11500 Clarence Center Road, Akron, New York. The existing sign is hard to read at current highway speed. Code requires maximum area of signs to be four square feet. The original sign is already too large, but most other church signs are also too large but approved. Jerry stated that the new top section will have larger lettering and will be bolted to the existing brick foundation. Late-March is the anticipated start date for construction. Since Ike is a member of this church and cannot vote, we do not have a quorum. Scott made a motion to approve the variance, seconded by Bill only. Corky is out of town, therefore, Dave Wakeman will be phoned for his vote. The church will be notified by the end of the week.

Scott made a motion to close the meeting at 8:25 PM, seconded by Ike, and all approved.

Respectfully submitted,

Christine B. Falkowski,
Recording Secretary